

No. _____

=====

IN THE SUPREME COURT OF THE UNITED STATES

—o0o—

LINDA SHAO, AKA YI TAI SHAO Petitioner - Appellant,

vs.

MCMANIS FAULKNER, A Professional Corporation, JAMES
MCMANIS, MICHAEL REEDY, CATHERING BECHTEL
Respondents- Appellees

—o0o—

On Petition For A Writ Of Certiorari To the California Sixth District
Court of Appeal regarding its Order of May 26, 2021 Summary
Denying Petitioner SHAO's second vexatious litigant application
to file the appeal, in H048651 which is an appeal from California
Santa Clara County Court's May 28, 2020's Order denying
SHAO's motion to set aside dismissal (S269711)

**REQUEST FOR RECUSAL OF CHIEF JUSTICE ROBERTS, JR.,
JUSTICE CLARENCE THOMAS, JUSTICE STEPHEN BREYER,
JUSTICE SAMUEL ALITO, JUSTICE ELENA KAGAN, JUSTICE
SONIA SOTOMEYER, JUSTICE NEIL GORSUCH, AND
JUSTICE BRET KAVANAUGH**

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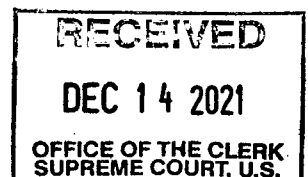


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Petitioner SHAO solemnly swears under the penalty of perjury of the laws of the U.S. of the facts contained herein and respectfully requests eight named Justices be recused in this proceeding pursuant to 28 USC §455(a). The judges have a general duty to recuse under 28 USC §455(a) when impartiality might reasonably be questioned. *Belue v. Leventhal*, 640 F.3d 587 (4th Cir. 2011). According to *Pilla v. American Bar Asso.*, 542 F.2d 36 (8th Cir. 1976), 28 USC §455(a) is applicable to all judges as well as the United States Supreme Court Justices. However, the custom practice in this Court has been allocated to each individual Justices to respond to the accused matters in a request for recusal. See Wisconsin Supreme Court's research report on the Supreme Court's recusal practice in *State v. Allen (2010) 2010 WI 10*. Here, the grounds for recusal include:

I. Six Justices have direct conflicts of interest as they are sued by Petitioner SHAO at the U.S.D.C. for the D.C. in case number of 1:18-cv-01233 and that case is related to this Petition where the Respondents are also defendants in that case; the case is pending with the D.C. Circuit Court of Appeal Case No. 21-5210 that is related to Petition 20-524 where the six Justices impliedly recused. Therefore, the six Justices might reasonably impossible to be impartial and should be recused under 28 U.S.C. §455(a).

Chief Justice John G. Roberts, Jr., Justice Clarence Thomas, Justice Stephen Breyer, Justice Samuel Alito, Justice Elena Kagan, Justice Sotomeyer are defendants/appellees of on-going appeal case of 21-5210 at the D.C. Circuit Court of Appeal that is related to this case.

In the First Amended Complaint, ECF 16 in the U.S.D.C. case (1:18-cv-01233), In Paragraph 10 of ECF 16, SHAO alleged that Respondents have manipulated all courts through the American Inns of Court.

In Paragraph 12, SHAO alleged that Chief Justice Roberts, along with the seven other Justices (Justice Kennedy was retired and Justice Ginsburg died), conspired to obstruct justice and failed to perform his Constitutionally imposed duty to decide three Requests for Recusal regarding his and the other 7 Justices' conflicts of interest based on their relationship with the American Inns of Court and/or James Mcmanis, Michael Reedy and the firm Mcmanis Faulkner and that "their relationships, including their substantial financial interests with the American Inns of Court, required them to disqualify themselves".

In Paragraph 13, SHAO alleged that Chief Justice Roberts failed to disclose his close social relationship with James Mcmanis when both are Honorary Benchers of the King's Inn where Chief Justice was the second, and McManis was the third American who received such high honor and that "With the large financial interests with the American Inns of Court, it is impossible that Chief Justices and the seven Associate Justices could be impartial to decide SHAO's petitions where the function of American Inns of Court was at issue.

21-5210 exists from denial of SHAO's 60(b) motion. The 60(b) motion was properly made after this Court's January 15, 2021 Mandate in Petition No. 20-524, pursuant to the holdings of *LSLJ Partnership v. Frito-Lay*, 920 F.2d 476 (7th Cir. 1990) and *Standard Oil Co. v. California v. United States*, 429 U.S. 17 (1976). SHAO's 60(b) motion is prompt by this Court's irregular return, unfiled, SHAO's Petition for Rehearing and "Motion to File Petition for Rehearing [Rule 44(2)] that was mailed on January 8, 2021 but was unexpectedly delayed receipt by this Court until January 19, 2021 [Rule 29(2)] , and to vacate January 15, 2021 Judgment; or alternatively deem the petition for rehearing be for the January 15, 2021 Judgment [Rule 44(1)]" and this Court's irregular taking off and putting back on the docket of 20-524 3 times on its decision of affirming DC Circuit Court's sua sponte affirmance of Judge Rudolph Contreras's Order of 1/17/2019 order and a suspicious

mail interception to delay mailing of the Petition for Rehearing of December 14, 2020 Order by 8 days.

The 60(b) motion was filed on the ground that the Supreme court was unable to review SHAO's case or make a decision on the merits and reopening is necessary to cure the appearance of judicial bias the handling of the case has created at all levels arising from Judge Contreras's 1/17/2019 sua sponte dismissal order which violates due process and violates 28 U.S.C. §455(b)(5)(i).

Judge Contreras willfully denied the 60(b) motion without deciding any and all of the court crimes mentioned in the motion and in willful violation of 28 U.S.C. §455(b)(5)(i) again, which caused the new appeal of 21-5210 and both the six Justices and Respondents are appellees in that case when Petitioner SHAO is the appellant.

As this litigation is going on, the six Justices who are defendants in that case, which is related to this case, have direct conflicts of interest that must be recused under 28 U.S.C. §455(a).

II. There is public view that the six Justices conspired with Respondents, American Inns of Court, Judge Rudolph Contreras and the DC Circuit Court of Appeal in suppressing SHAO's case from being decided on the merits of related case ending with Petition No.20-524 with this Court. Therefore, the six Justices might be reasonably unable to be impartial as Respondents are their co-conspirators and should be recused under 28 USC §455(a).

A. The Conspiracy

Firstly, Judge Rudolph Contreras at the U.S.D.C. for the D.C., who was raised by Chief Justice Roberts to receive double salary having two courts' seats, stalled the Clerk's Office of the U.S.D.C. to enter default against the US Supreme Court appellees (including the six Justices) as well as against himself and his clerk, after default was entered as

against Tsan-Kuen Wang and his attorney David Sussman in the case of 1:18-cv-01233. Three months following the Supreme Court defendants (including the present six Justices) were pending default entry, and within a day following SHAO's filing of the Returned Summons (proof of service of Summons) of the hacker Kevin L. Warnock and Judge Craig Wallace (the founder of the American Inns of Court), Judge Rudolph Contreras, in disregard of the fact that he is a defendant and the default entry against him was also pending and in violation of 28 U.S.C. §455(b)(5)(i), abruptly dismissed the case on 1/17/2019 without a notice, sua sponte, and created a "judge shopping" excuse to justify his jurisdiction in issuing the 1/17/2019 order. At the time of dismissal, there were about 22 defendants who had not made appearance and 15 were pending default. Judge Contreras used the frivolous excuse of "judge shopping" to cover up the facts that he failed to decide nor explain regarding any of the accused acts of ex parte communications, disrupting the function of the Clerk's Office and alterations of dockets.

Secondly, the case went appeal in case No.19-5014 with the D.C. Circuit when Chief Judge Merrick Garland was presiding. In willful **concealment** of the D.C. Circuit court's close interactions with the Appellee American Inns of Court, Garland assigned the case to a panel that has two officers of the American Inns of Court to form the majority of the panel, in direct violation of 28 U.S.C. §455(b)(5)(i): both Judge Patricia Millett and Judge Nina Pillard further **concealed** their being President-Elect/President, officers of Edward Coke Inn of the American Inns of Court in granting American Inns of Court Appellees' defective motion for summary affirmance that no reasonable judge would have granted.

After Millett granted American Inns of Court Appellees' motion, she was awarded a huge gift of Temple Bar Scholarship in Fall of 2019. Her clerk may also be the same clerk who drafted for her the July 31, 2019's Order.

For years, the Edward Coke Inn used the DC Circuit Court of Appeal to conduct business-- regular meetings. The Edward Coke Inn has close interaction with the US Supreme Court as well as all of the eight Justices whom SHAO is requesting recusal for this Petition, by having twice a year meals at the US Supreme Court. Chief Justice Roberts, Justice Alito and Justice Kagan appear to be their regular members, having close relationship with the majority of the appellate panel in No. 19-5014. The American Inns of Court also has used the site of the US Supreme Court to conduct their annual Symposium. By the Bylaws of the American Inns of Court, including Edward Coke Inn, its function is mandated to be "social", not a professional bar. The judge members provide one-on-one mentorship to attorney members, including discussion of attorney members' client case. See their mentorship guideline which they changed after this lawsuit (Exhibit G, #1926504, page 17 of 26; Appendix to Request for Recusal filed in 20-524, Exh "8")

Mentoring Program Guidelines, Expectations and Acknowledgement

Mentoring Program Guidelines, Expectations and Acknowledgment

EXPECTATIONS: Mentors and protégés mutually agree to meet in groups or as mentoring pairs at least four to five times during the Inn program year for mentoring on agreed upon mentoring topics. Both mentors and protégés will make every effort to attend all scheduled mentoring sessions and actively participate to make mentoring as effective as possible.

CONFLICTS OF INTEREST: The mentor program is intended to provide general assistance to protégés, but it is not intended to provide protégés with answers to case specific questions. When discussing a particular legal issue, protégés should raise the question with their mentor in general terms. The protégé should take steps to avoid disclosing the identity of the protégé's client and to avoid any potential conflicts of interest. If a client's identity must be disclosed because of the nature of the legal question, or because of the mentor's office policies, the mentor shall ensure that no conflicts of interest exist before responding to the protégé's question. If a conflict is discovered that would prohibit the mentor from effectively mentoring the protégé, the mentor should discuss this with the Inn mentoring committee and Inn mentoring group leader and a reassignment will be made.

CLIENT CONFIDENTIALITY: Any detailed conversation between the mentor and protégé regarding a specific problem of a client may require the protégé to obtain consent from the client before the protégé makes any disclosure to the mentor. A protégé's failure to obtain this consent may violate applicable Rules of Professional Conduct.

EMPLOYMENT AS CO-COUNSEL: The mentor shall not accept employment as co-counsel with the protégé, nor shall the mentor accept any client referral from the protégé. Mentors shall take all appropriate steps to avoid the appearance of the existence of any attorney/client relationship with the protégé's clients. Mentors may, however, provide protégés with referrals to other attorneys who could act as co-counsel or accept the referral of cases from the protégé. The mentoring relationship created under the Inn mentoring program is not for the purpose of obtaining legal advice for use by either the protégé or mentor. Accordingly, no attorney/client relationship is intended to be created and none is created by participation in any Inn mentoring program.

Model Mentoring Resources:

American Inns of Court Model Mentoring Program

Suggested Mentoring Topics

← "specific problem of a client"

Then, on the eve of 3/18/2019, appearing under the direction of the then Chief Judge Merrick Garland, the D.C. Circuit Court's Operation Manager Scott Atchue silently took SHAO's name and contact off from the CM/ECF user list to cause SHAO to have no notice regarding American Inns of Court's motion for summary affirmance. Then Judge

Millett faked an Order to Show Cause why not grant American Inns of Court Appellees' motion for summary affirmance as Appellant SHAO did not file an Opposition on 4/9/2019. To enable SHAO to see this Order to Show Cause, Scott Atchue put SHAO back on the CM/ECF system.

In June 2019, pending the Order to Show Cause when SHAO's motion to change venue was also pending (#1791001 in 19-5014), Chief Judge Garland was able to use the gift from the American Inns of Court to issue a Professionalism award to his designated friend Attorney J. Kramer, on behalf of American Inns of Court.

On October 18, 2021, in the appeal case of No.21-5210, McManis appellees who are respondents in this case plus their attorney Janet Everson, admitted through their attorney Mr. Lassart, admitted to a conspiracy took place on July 31, 2019 in dismissing the entire appeal of 19-5014. Mr. Lassart wrote in Page 1 of their Motion for Summary Affirmance (ECF#1918497) that:

"On July 31, 2019, the Court of Appeals granted Appellees' Motion for Summary Affirmance, and dismissed the Appeal."

The docket of 19-5014 did not show such "motion" and "granting". SHAO requested 4 times for a copy of the alleged motion but Mr. Lassart did not deny and failed to provide. This undocumented motion constitutes an ex parte communication with the Court. In corroboration with such "granting", on the very same date of July 31, 2019 as admitted by Mr. Lassart, Judge Patricia Millett, summarily granted American Inns of Court's defective motion for summary affirmance without discussing the undisputed fact that the motion was not served upon SHAO, and further issued an Order to Show Cause why not adopt entirely and summarily affirm the entire order of 1/17/2019 to dismiss appeal.

Without a conspiracy, no reasonable judge would have granted American Inns of court's motion for summary affirmance as SHAO discovered evidence that she was not served because of the D.C. circuit

silently took SHAO off from the CM/ECF user and this fact of lack of service is undisputed by American Inns of Court Appellees. The lower court has denied motions filed without service, e.g., *Castillo-Reyes v. Solloso*, 95-7233, October 30, 1996, 1996 US App.LEXIS 30592. The district court's denial of a motion for lack of service has been upheld by the US Court of Appeal, e.g., *Bank Of N.Y. Mellon v. Celestin*, 713 Fed.Appx 602 (9th Cir.2018). This Court also considered lack of service to be denial of due process, e.g., *United Student Aid Funds, Inc. v. Espinosa*, 559 U.S. 260 (2010). Thus, American Inns of Court Appellees' motion for summary affirmance should have been denied.

Then, despite hundreds of pages of evidence provided by SHAO in response to the "further Order to Show Cause to summarily affirm the entire order of 1/17/2019 of Judge Rudolph Contreras, Judge Millett summarily issued the order on 11/13/2019 to dismiss the entire appeal. There is ***double violation*** of 28 U.S.C.§455(b)(5)(i) as she concealed from disclosure that she was and is an Officer of American Inns of Court and Judge Contreras is a party to the action.

The panel summarily denied motion to change venue without explaining to the six felonies contained in the proceeding of 19-5014. Within the next 10 months, with 3 requests for rehearing on such summary decision, this panel refused to decide on each accused facts and maintained the summary denial. The proceeding ended on May 1, 2020 with an En Banc decision issued about 5 minutes after the panel decision. Such En Banc decision reasonably appears to be fraudulent as no judge could have reviewed the hundred pages' of evidence in 5 minutes.

1. Respondents admitted to this ex parte conspiracy without any disputes in the 21-5210 proceeding.

With 4 emails from October 25 through October 28, 2021 inquiring the existence of such motion for summary affirmance of Respondents, Mr. Lassart **never denied existence of such ex parte motion for summary affirmance** that is secret, ex parte and not shown on the

docket. See in **EXHIBIT A** attached hereto, ECF#1920126, Exhibits A-D.

Moreover, Respondents/Mcmanis appellees tacitly admitted to such conspiracy by failure to object or oppose to eight (8) times of SHAO's severe accusations of this July 31, 2019 conspiracy in papers filed after October 28, 2021. This constitutes tacit admission of the accused conspiracy of dismissing appeal of Case No. 19-5014 under F.R.E. 801((d)(2)(D). There is tacit admission if a statement made in the party's presence was heard and understood by the party, who was at liberty to respond, in circumstances naturally calling for a response, and the party failed to respond. E.g., *Jenkins v. Anderson*, 447 U.S. 231 (1980); *Alberney v. United States*, 162 U.S. 499, 16 S.Ct. 864, 40 L.Ed. 1051 (1896).

Such 8 times of criminal accusations of Respondents' conspiracy with the D.C. Circuit to plot dismissal of the appeal in 19-5014 are described in "Reply to American Inns of court's Opposition (#1924096) to Appellant's Motion to Vacate all Orders in the Related Appeal Case 19-5014 and Reactivate Appeal based on extrinsic fraud and violation of due process (#1922545)" which is ECF #1924988 attached hereto as **Exhibit B**.

2. This Court joined Respondents' conspiracy with DC Circuit Court of Appeal in blocking SHAO's appeal in 19-5014 by summary affirming the orders of the DC Circuit in 19-5014, the orders that are caused by extrinsic fraud—conspiracy with Respondents, when its 12/14/2020 Order and 1/15/2021 Mandate were exposed to be fraudulent.

On 12/14/2020, an order was issued to block review of the D.C. Circuit Court's dismissing appeal. See Petition for Rehearing in Petition for Writ of Certiorari, App.160 through App.188.

The 12/14/2020 order did not contain the names of the issuing Justice(s). It was **not** served upon SHAO. SHAO obtained the Order only from the D.C. Circuit. This 12/14/2020 order on its face appears to **violate Supreme Court Rule 45 (1)** which states that "All process of this Court issues in the name of the President of the United States."

On 1/13/2020, when SHAO was in Taiwan and prepared to send letters to the 435 Congress members, SHAO discovered that the **12/14/2020 Order was taken off from the docket of 20-524**. The hacker hired by Respondent James McManis who has been stalking SHAO apparently noticed that SHAO discovered this; 2 minutes later, the 12/14/2020 Order was put back into the docket. See the screenshots proving such crimes as below (see also, Petition for Rehearing attached to this Petition for Writ of Certiorari, App.178-App.181):

At Taipei time, 7:15 p.m. when is 7:15 a.m. Eastern time, SHAO discovered that the December 14, 2020 Order was not shown on the docket of 20-524:

Case: 20-524
 Title: Yi Tai Shao, Petitioner
 John G. Roberts, Chief Justice, Supreme Court of the United States et al.

Booked: October 20, 2020
 Lower Ct: United States Court of Appeals for the District of Columbia Circuit
 Case Numbers: (19-5014)
 Decision Date: November 13, 2019
 Rehearing Denied: February 6, 2020

DATE	PROCEEDINGS AND ORDERS
Jul 02 2020	Petition for a writ of certiorari filed. (Response due November 19, 2020) Petition Appendix Certificate of Word Count Proof of Service
Oct 22 2020	Waiver of right of respondents Roberts, John G., et al. to respond filed. Main Document
Nov 04 2020	Request for recusal from petitioner received. Main Document
Nov 09 2020	Amicus brief of Mothers of Lost Children submitted. Main Document
Nov 24 2020	DISTRIBUTED for Conference of 12/11/2020

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Linda Shao	4920 Hopyard Road, Suite 100 Pleasanton, CA 94588-7101	(408) 873-8888
Party name Yi Tai Shao		
Attorneys for Respondents		
Jeffrey B. Wall Counsel of Record	Acting Solicitor General United States Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001	202-514-2217
SupremeCtBriefs@USDOJ.gov		
Party name Roberts, John G., et al.		

Details

January 13, 2021 7:15 PM

Screenshot 20210113 191546_Samsung Internet.jpg

Two minutes later, the 12/14/2020 Order was put back to the docket of 20-524.

How SEARCH RESULTS

Search documents in this case:		Search
No. 20-524		
Title	Yi Tai Shao, Petitioner v. John G. Roberts, Jr., Chief Justice, Supreme Court of the United States, et al.	
Docketed	October 20, 2020	
Lower Ct.	United States Court of Appeals for the District of Columbia Circuit	
Case Numbers	(18-2014)	
Decision Date	November 18, 2019	
Rehearing Denied	February 5, 2020	

DATE	PROCEEDINGS AND ORDERS
Jul 02 2020	Petition for a writ of certiorari filed (Response due November 19, 2020) Petitioner: Appellate: Confirmed of Writ of Certiorari: Petitioner of Certiorari
Oct 22 2020	Waiver of right of respondents Roberts, John G., et al. to respond filed E-Filed Document
Nov 04 2020	Request for recusal from petitioner received. E-Filed Document
Nov 09 2020	Amicus brief of Mothers of Lost Children submitted E-Filed Document
Nov 24 2020	DISTRIBUTED for conference of 12/11/2020
Dec 14 2020	Because the Court took a quorum, 20 U. S. C. §1, and since the qualified Justice dissented from the opinion that the case cannot be heard and determined at the next Term of the Court, the judgment is affirmed under 28 U. S. C. §2109, which provides that under those circumstances "the Court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court." The Chief Justice, Justice Thomas, Justice Ginsburg, Justice Alito, Justice Sotomayor, and Justice Kagan took no part in the consideration or decision of this petition.

NAME	ADDRESS	PHONE
Attorneys for Petitioner		

Details

[] January 13, 2021 7:17 PM

[] Screenshot_20210113-191749_Samsung Internet.jpg

On 1/8/2021, SHAO served all parties in 20-524 of her "Petition for Rehearing" and the second "Request for Recusal" to disqualify Justice Gorsuch and Justice Kavanaugh. (See, Petition for Writ of Certiorari, App.175.)

[The entire Petition for Rehearing is in Petition for Writ of Certiorari, App.160 through 188. Due to lack of sufficient time in drafting the Petition for Writ of Certiorari and the hacker's mischief in keep deleting files when drafting, App. 189 is a wrong page caused by the hacker, which was part of App.181.]

On 1/12/2021, one day after the expected arrival to this Court of her mail regarding Petition for Rehearing, for twice, SHAO telephoned and left messages to Clerk Jeff Atkins who is in charge of Request for Recusal about the coming of the Petition for Rehearing. (See Petition for Writ of Certiorari, App.176)

On 1/15/2021, this Court rushed a mandate in disregard of SHAO's notices of filing of Petition for Rehearing. This Court had knowledge of SHAO's filing by the e-service email of 1/8/2021 (Petition, App.175) and her two voice mails to Jeff Atkins on 1/12/2021 (Petition, App.176). The mandate is below signed by Scott Harris.

Supreme Court of the United States

No. 20-524

YI TAO SHAO,

Petitioner

v.

**JOHN G. ROBERTS, JR., CHIEF JUSTICE, SUPREME COURT
OF THE UNITED STATES, ET AL.**

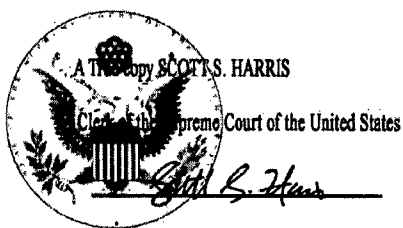
ON PETITION FOR CERTIORARI to the United States Court of Appeals for the
District of Columbia Circuit.

THIS CAUSE having been submitted on the petition for writ of certiorari and the
response thereto.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that
because the Court lacks a quorum, 28 U. S. C. §1, and since the qualified Justices are of the
opinion that the case cannot be heard and determined at the next Term of the Court, the
judgment is affirmed under 28 U. S. C. §2109, which provides that under these circumstances
“the court shall enter its order affirming the judgment of the court from which the case was
brought for review with the same effect as upon affirmance by an equally divided court.”

December 14, 2020

The Chief Justice, Justice Thomas, Justice Breyer, Justice Alito, Justice Sotomayor
and Justice Kagan took no part in the consideration or decision of this petition.



Again, this Court did not serve SHAO. It recited the December 14, 2020 order.

Then, SHAO discovered her mail of the Petition for Rehearing was intercepted by 8 days at unknown place immediately after the mail left San Francisco Facility on January 8, 2021. Her postal office receipt show the anticipated mail arrival date with the US Supreme Court was January 11, 2021 (left receipt; the right is for money order for the filing fee of \$200 for a petition for rehearing):

UNITED STATES POSTAL SERVICE
 MOUNTAIN VIEW
 211 HOPE ST
 MOUNTAIN VIEW, CA 94041-8888
 (950) 279-0777
 01/08/2021 12:38 PM
 Product Qty Unit Price Price
 Priority Mail 2-DAY 1 1 87.75
 Flat Rate Box 1 1 0.00
 Postage 1 1 0.00
 Insurance 1 1 0.00
 Signature 1 1 0.00
 Tracking 1 1 0.00
 Total 1 1 87.75
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UNITED STATES POSTAL SERVICE
 MOUNTAIN VIEW
 211 HOPE ST
 MOUNTAIN VIEW, CA 94041-8888
 (950) 279-0777
 01/08/2021 12:38 PM
 Product Qty Unit Price Price
 Priority Mail 2-DAY 1 1 87.75
 Flat Rate Box 1 1 0.00
 Postage 1 1 0.00
 Insurance 1 1 0.00
 Signature 1 1 0.00
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The tracking records of the USPS shows that the mail was **lost tract** at unknown place(s) from January 8 through January 15, 2021 and resumed tracking on January 16 early in the morning in Maryland, when was **after issuance of the Mandate**. There was only a note on January 12 that "on transit to another facility." On January 17, 2021 it was marked "available to pick up" by this Court which signifies that the **mail delivered to this Court but this Court rejected receipt of the mail somehow**. Eventually it was signed off receipt on January 19, 2021 early in the morning at 6:11 a.m.. (See also, Petition for Writ of Certiorari, App.173-74) The tracking record is below:

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Your item was delivered at 6:11 am on January 19, 2021 in WASHINGTON, DC 20543 to SUPREME COURT 20543. The item was signed for by L JOHNSON.

USPS Tracking Plus™ Available

Delivered

January 19, 2021 at 6:11 am

Delivered

WASHINGTON, DC 20543

Get Updates

Text & Email Updates

Proof of Delivery

Tracking History

January 19, 2021, 6:11 am

Delivered

WASHINGTON, DC 20543

Your item was delivered at 6:11 am on January 19, 2021 in WASHINGTON, DC 20543 to SUPREME COURT 20543. The item was signed for by L JOHNSON.

January 17, 2021, 10:45 am

Available for Pickup

WASHINGTON, DC 20843

January 17, 2021, 9:43 am

Arrived at Hub

WASHINGTON, DC 20018

January 17, 2021, 4:38 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

January 17, 2021, 3:54 am

Departed USPS Regional Facility

LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

January 16, 2021, 7:26 pm

Arrived at USPS Regional Facility

LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

January 16, 2021, 7:22 am

Arrived at USPS Regional Facility

EASTON MD DISTRIBUTION CENTER

January 12, 2021

In Transit to Next Facility

January 8, 2021, 6:51 pm

Departed USPS Regional Destination Facility

SAN FRANCISCO CA DISTRIBUTION CENTER

January 8, 2021, 6:51 pm

Arrived at USPS Regional Origin Facility

SAN FRANCISCO CA DISTRIBUTION CENTER

January 8, 2021, 4:07 pm

Departed Post Office

MOUNTAIN VIEW, CA 94041

January 8, 2021, 12:37 pm

USPS in possession of item

MOUNTAIN VIEW, CA 94041

USPS Tracking Plus™

On 1/17/2021 when was the day this Court rejected to receive the mail, there appeared to have some civil war inside this Court. SHAO discovered the January 15 2021 Mandate was taken off twice and put back from 1/16/2021 afternoon through 1/17/2021 night about 10:29 pm. [The same screenshots are provided in Petition for Writ of Certiorari, App.182-188.]

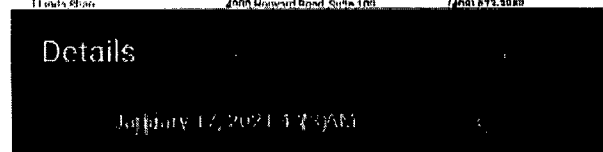
The following screenshot shows at 4:23 A.M of 1/17/2021, that is 4:23 PM of 1/16/2021, that the 1/15/2021 Mandate was removed from the docket:



Search documents in this case		Search
No. 20-524		
Title	Yi Tai Shan, Petitioner v. John G. Roberts, Jr., Chief Justice, Supreme Court of the United States, et al.	
Docketed	October 20, 2020	
Lower Ct.	United States Court of Appeals for the District of Columbia Circuit	
Case Numbers	(19-5014)	
Decision Date	November 12, 2020	
Rehearing Denied	February 5, 2021	

DATE	PROCEEDINGS AND ORDERS
Jul 02 2020	Petition for a writ of certiorari filed. (Response due November 19, 2020)
	Petition Appendix Certificate of Word Count Proof of Service
Oct 22 2020	Waiver of right of respondents Roberts, John G., et al. to respond filed.
	Main Document
Nov 04 2020	Request for recusal from petitioner received.
	Main Document
Nov 09 2020	Amicus brief of Mothers of Lost Children submitted.
	Main Document
Nov 24 2020	RETRIBUTED for Conference of 12/11/2020
Dec 14 2020	<p>Because the Court lacks a quorum, 28 U. S. C. §1, and since the qualified Justices are of the opinion that the case cannot be heard and determined at its next Term of the Court, the judgment is affirmed under 28 U. S. C. §2109, which provides that under these circumstances "the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court." The Chief Justice, Justice Thomas, Justice Breyer, Justice Alito, Justice Gorsuch, and Justice Kagan took no part in the consideration or decision of this petition.</p>

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Yi Tai Shan	400 Maryland Road, Suite 100	(202) 672-3089



30 minutes later, the 1/15/2021 Mandate showed up again in the docket of 20-524, when was Eastern Time 1/16/2021 at 4:53 p.m.

Search documents in this case:

20-2054

Title	Yi Tai Shao, Petitioner v. John O. Roberts, Jr., Chief Justice, Supreme Court of the United States, et al.
Filed	October 26, 2020
Lower Ct	United States Court of Appeals for the District of Columbia Circuit
Case Numbers	(19-5014)
Decision Date	November 13, 2020
Rehearing Denied	February 8, 2021

DATE	PROCEEDINGS AND ORDERS				
Jul 02 2020	Petition for a writ of certiorari filed. (Response due November 10, 2020)				
	<table><tr><th>Petition</th><th>Appellate</th><th>Certificate of Merit/Cause</th><th>Proof of Service</th></tr></table>	Petition	Appellate	Certificate of Merit/Cause	Proof of Service
Petition	Appellate	Certificate of Merit/Cause	Proof of Service		
Oct 22 2020	Waiver of right of respondents Roberts, John O., et al to respond filed				
	Main Document				
Nov 04 2020	Request for record from petitioner received.				
	Main Document				
Nov 09 2020	Amicus brief of Mothers of Lost Children submitted				
	Main Document				
Nov 24 2020	DISTRIBUTED for Conference of 12/11/2020				
Dec 14 2020	Because the Court lacks a quorum, 28 U. S. C. § 1, and since the qualified Justices are of the opinion that the case cannot be heard and determined at the next Term of the Court, the judgment is affirmed under 28 U. S. C. § 2109, which provides that under those circumstances "the Court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court." The Chief Justice, Justice Thomas, Justice Breyer, Justice Alito, Justice Sotomayor, and Justice Kagan took no part in the consideration or decision of this petition.				
Jan 15 2021	JUDGMENT ENTERED				

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Lexia Shao	4900 Hopyard Road, Suite 100 Pittsford, NY 14534-7101	(408) 873-3889
Party name: Yi Tai Shao		
Attorneys for Respondents		


Details

January 17, 2021 4:53 AM

Due to these weird incidents already 4 times taking on and off of the court's orders, SHAO monitored the docket from time to time.

Six hours later, SHAO discovered that the 1/15/2021 Mandate was taken off from the 20-524 docket again. When SHAO discovered such

taking off, it was 1/17/2021 10:29 AM Taipei Time, when was Eastern Time 1/16/2021 at night of 10:29 PM.

<div style="display: flex; justify-content: space-between;"> <div>  </div> <div> <p>Search documents in this case:</p> </div> <div> <p>See</p> </div> </div>	
<p>No. 20-824</p>	
Title	<p>Yi Tai Shan, Petitioner v. John G. Roberts, Jr., Chief Justice, Supreme Court of the United States, et al</p>
Date Filed	<p>October 20, 2020</p>
Court	<p>United States Court of Appeals for the District of Columbia Circuit</p>
Case Number	<p>(19-1214)</p>
Decided Date	<p>November 18, 2019</p>
Releasing Office	<p>February 5, 2020</p>

DATE	PROCEEDINGS AND ORDERS
Jul 02 2020	Petition for a writ of certiorari filed. (Response due November 19, 2020)
	Parties: Appellee: Criminals of World Court Plaintiff: Canada
Oct 22 2020	Waiver of right to reconsideration Roberts, John G. et al to respond filed
	Has Document
Nov 04 2020	Request for recusal from petitioners received.
	Has Document
Nov 09 2020	Amicus brief of Mothers of Lost Children submitted
	Has Document
Nov 24 2020	DETERMINED for Conference of 12/11/2020
Dec 14 2020	Because the Court finds a question, 28 U.S.C. § 1, and since the qualified Justices, one of its opinion that the case cannot be heard and determined at the next Term of the Court, the judgment is affirmed under 28 U.S.C. § 2109, which provides that under these circumstances "the Court shall enter its order affirm[ing] the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court." The Chief Justice, Justice Thomas, Justice Breyer, Justice Alito, Justice Sotomayor, and Justice Kagan took part in the consideration and decision of the petition.

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Leahy, Mann	4000 Howard St., Suite 102	408-632-2000

Details

January 17, 2021 10:29 AM

Screenshot 20210117-102920 Gallery.jpg

Who would do this at late at night? What happened to this Court? It appeared that both December 14 2020 order and

January 15 2021 Mandate that bear no names of the issuing Justices are fraudulently made under the direction of Chief Justice Roberts and not by the three unrecused Justices.

Then, SHAO went into the surgeon room. At some point, the 1/15/2021 Mandate was put back into the docket of 20-524.

As Jeff Atkins was non-responsive to SHAO's inquiries on filing of Petition for Rehearing, including on 1/12/2021 and 1/20/2021 (Petition, App.176), on January 29, 2021, when was 10 days following this Court's receipt of SHAO's Petition for Rehearing, SHAO prepared and served all parties, including this Court her "Motion to file Petition for Rehearing" (Complete name of "Motion to File Petition for Rehearing [Rule 44(2)] that was mailed on January 8, 2021 but was unexpectedly delayed receipt by this Court until January 19, 2021 [Rule 29(2)] , and to vacate January 15, 2021 Judgement; or alternatively deem the petition for rehearing be for the January 15, 2021 Judgment [Rule 44(1)]") which is attached hereto as **EXHIBIT C**.

2. This Court decided to return, unfiled, SHAO's Petition for Rehearing upon seeing SHAO's filing of her Motion to file Petition for Rehearing, and such refusal to file is irregular as in violation of Rule 29(2) and 44(1).

Jeff Atkins did not respond to any of SHAO's calls on filing of her "Petition for Rehearing." According to Rule 29(2), SHAO's Petition for Rehearing was filed on the date of putting into mail, that is January 8, 2021, 7 days **before the 1/15/2021 Mandate**. Further according to Rule 44(1), even for the 1/15/2021 judgment, SHAO has a right to Petition for Rehearing but this Court blocked such right to access this Court. See the rules and arguments and evidence cited in the Motion to file Petition for Rehearing.

As stated above, uncoincidentally, this Court returned Petition for Rehearing the same date SHAO "filed" her motion to file Petition for Rehearing. See this court's letter dated January 29, 2021 in Petition, App.190. See below for the mailing record of the Motion for filing of Petition for Rehearing.



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01-30-21

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Date Accepted (MM/DD/YY)

01-29-21

Scheduled Delivery Time

☐ 10:30 AM ☐ 02:00 PM
☒ 02:00 NOON

Insurance Fee

\$

COD Fee

\$

Time Accepted

2:45 PM

10:30 AM Delivery Fee

\$

Return Receipt Fee

\$

Live Animal Transportation Fee

\$

Special Handling/Fragile

\$

Sunday/Holiday Premium Fee

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Total Postage & Fees

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Weight

9.6 lbs.

☐ Flat Rate

Acceptance Employee Initials

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DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY) Time

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Employee Signature

Delivery Attempt (MM/DD/YY) Time

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Employee Signature

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☒ SIGNATURE REQUIRED Note: The addressee must check the "Signature Required" box if the addressee: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

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 12 1/2 x 9 1/2

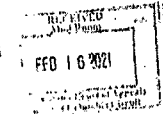
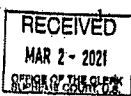
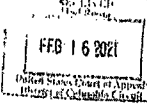


**UNITED STATES
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3. This court's return of motion to file Petition for Rehearing appears to be in conspiracy with DC Circuit

As shown in ECF 161-6 filed with the U.S.D.C. for D.C. in the case of Shao v. Roberts, et al, 1:18-cv-01233, it was D.C. Circuit mailed to this Court and this Court used that to return to SHAO. In returning the Motion to File Petition for Rehearing, this Court used the copy of Deputy Clerk Michael Duggans' letter of January 29, 2021, which is in Petition, App.190. See relevant pages in Exhibit D where the receipt

stamps are U.S. Court of Appeal D.C. Circuit, with an envelop from the D.C. Circuit to the Supreme Court and mailed from the US Supreme Court to SHAO dated 03/02/2021. The following document shows the filing stamp of D.C. Court of Appeal of 2/16/2021, which was mailed to the US Supreme Court and received on 3/2/2021, in order for the US Supreme Court to return SHAO's Motion to File Petition for Rehearing.

<div style="text-align: right;">  </div> <p style="text-align: center;">No. 20-514</p> <hr/> <p style="text-align: center;">IN THE SUPREME COURT OF THE UNITED STATES</p> <p style="text-align: center;">-----oOo-----</p> <p style="text-align: center;">YI TAI SHAO, AKA LINDA SHAO <i>Petitioner-Appellant</i></p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">CHIEF JUSTICE JOHN G. ROBERTS, JR., et.al. <i>Respondents-Appellees</i></p> <p style="text-align: center;">-----oOo-----</p> <p>On Petition for a writ of certiorari to the US Court of Appeal, D.C. Circuit, with case number of 19-5014 to appeal from Judge Patricia Millett's Orders of 2/6/2020 denying rehearing of its Order of 11/18/2019 that summarily denied change of venue, and sua sponte confirming Judge Rudolph Contreras's Order of January 17, 2019 that sua sponte dismissed the entire case and prior orders at U.S.D.C., for case number of 1:18-cv-01238</p> <hr/> <p style="text-align: center;">[proposed] ORDER MOTION TO FILE PETITION FOR REHEARING</p> <hr/> <p>YI TAI SHAO, ESQ., IN PRO PER SHAO LAW FIRM, PC 4900 Hopyard Road, Ste. 100 Pleasanton, CA 94588-7101 Telephone (408) 873-3888 Fax: (408) 418-4070 attorneyshao@aol.com</p> <hr/> <p>It is ORDERED that</p> <ol style="list-style-type: none"> 1. Petitioner's Motion Be granted. 2. Petition for Rehearing be filed as on January 8, 2021. 3. January 15, 2021 Judgment be vacated. 4. Alternatively, Petition for Rehearing be filed as of January 19, 2021. <p>Dated: _____</p> <p style="text-align: right;">_____ Honorable Justice</p> <div style="text-align: right;">  </div>	<div style="text-align: right;">  </div> <p style="text-align: center;">No. 20-514</p> <hr/> <p style="text-align: center;">IN THE SUPREME COURT OF THE UNITED STATES</p> <p style="text-align: center;">-----oOo-----</p> <p style="text-align: center;">YI TAI SHAO, AKA LINDA SHAO <i>Petitioner-Appellant</i></p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">CHIEF JUSTICE JOHN G. ROBERTS, JR., et.al. <i>Respondents-Appellees</i></p> <p style="text-align: center;">-----oOo-----</p> <p>On Petition for a writ of certiorari to the US Court of Appeal, D.C. Circuit, with case number of 19-5014 to appeal from Judge Patricia Millett's Orders of 2/6/2020 denying rehearing of its Order of 11/18/2019 that summarily denied change of venue, and sua sponte confirming Judge Rudolph Contreras's Order of January 17, 2019 which in turn had sua sponte dismissed the entire case at U.S.D.C., for case number of 1:18-cv-01238</p> <hr/> <p style="text-align: center;">MOTION TO FILE PETITION FOR REHEARING [Rule 44(2)] THAT WAS MAILED ON JANUARY 8, 2021 BUT WAS UNEXPECTEDLY DELAYED RECEIPT BY THIS COURT UNTIL JANUARY 19, 2021 [Rule 29(2)], AND TO VACATE JANUARY 15, 2021 JUDGMENT; OR ALTERNATIVELY DEEM THE PETITION FOR REHEARING BE FOR THE JANUARY 15, 2021 JUDGMENT [RULE 44(1)]</p> <hr/> <p>YI TAI SHAO, ESQ., IN PRO PER SHAO LAW FIRM, PC 4900 Hopyard Road, Ste. 100 Pleasanton, CA 94588-7101 Telephone (408) 873-3888 Fax: (408) 418-4070 attorneyshao@aol.com</p>
--	--

Case 1:16-cv-01233-RC Document 161-6 Filed 04/29/21 Page 2 of 56

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No one Appellee opposed to this Exhibit in the 60(b) proceeding from April through August 30, 2021 at the U.S.D.C. at the D.C. and about the conspiracy of DC Circuit and this Court in blocking appeal of SHAO in the Petition No. 20-524, which is related to this case where the six Justices' co-conspirators are Respondents.

4. The suspicious 12/14/2020 Order in Petition No. 20-524 as described above, violates public policy that should be void, as asserted in both the Petition for Rehearing and Motion to file Petition for Rehearing that were blocked from filing.

As stated in the Petition for Rehearing, which is in Petition, App. 169-188, 12/14/2020 Order is void for being vague (App.160), and violation of public policy of the absolute duty to decide appeal. The 12/14/2020 Order mentioned 28 U.S.C.§2109, but there are two paragraphs. The Court seemed to refer to Paragraph Two. However Paragraph Two of 28 U.S.C.§2109 is inapplicable in this case as that statute has a premise to be applicable which does not exist. Paragraph Two of 28 U.S.C. §2109 authorizes the court to affirm the appellate opinion with the premises that there were full review by that Court of Appeal, but no merits were reviewed at all as there was no appeal proceeding taken place in 19-5014 but only sua sponte dismissal.

Therefore, the process of 20-524 reasonably appears that this Court appeared to have participated in the common goal of the conspiracy led by Respondent to block SHAO from having a day in the court, and to block the merits of the case to be decided by any court. from filing her Petition for Rehearing which pointed out that the public policy disallowed such summary affirmation as shown in 12/14/2020 Order and 1/15/2021 Mandate as Petitioner had been completely deprived of her fundamental right to appeal nor reasonable access to the court.

On December 7, 2021, in this pending appeal Case No. 21-5210 with the DC Circuit Court of Appeal, conspiracy of the six Justices, Respondents James Mcmanis, Michael Reedy, McManis Faulkner, PC, their attorney Janet Everson, with the D.C. Circuit as well as American Inns of Court in dismissing the appeal of 19-5014 was exposed, which made this Court's irregular 12/14/2020 Order and refusing to file the Petition for Rehearing be reasonably connected with such conspiracy.

5. The six Justices appeared to have conspired with Respondent in refusing to file SHAO's "motion for judicial notice of the Amicus Curiae motion filed in 18-569" that was filed in Petition No. 20-524 with this Court and this Court altered the docket of 18-569.

Petition NO. 18-569 is SHAO's child custody appeal. As Judge Patricia Lucas's child custody order of 11/4/2013 appeared to be written by Respondents, Presiding Justice of California Sixth District Court of Appeal, Justice Mary J. Greenwood, the wife of Judge Edward Davila who started the entire child abduction, fraudulently dismissed the child custody appeal on May 10, 2018. See SHAO's motion to vacate May 10, 2018's dismissing appeal order in Petition for Writ of Certiorari, App.103-106.

Respondents conspired with their client, Santa Clara County Superior Court to block the child custody appeal by refusing to prepare any page for records on appeal. They did two conspiracies to dismiss the child custody appeal. In their first conspiracy to dismiss the child custody appeal, they caused the clerk handling appeal matters in Santa Clara County Court to go to the court on Saturday, March 12, 2016 to generate a false notice of non-compliance that SHAO failed to procure records on appeal. Then on the first thing of Monday morning, March 14, 2016, then Presiding Justice Conrad Rushing issued a dismissal order of the child custody appeal, in direct violation of California Rules of Court Rule 8.57 which requires a noticed motion to dismiss an appeal before records on appeal are available. After exposure of such conspiracy, Justice Rushing vacated his dismissal order and reactivate the child custody appeal. Regarding this, in Paragraph 38 of Declaration of Meera Fox, she declared that any reasonable person seeing this would conclude judicial conspiracy to dismiss child custody appeal.

The second dismissal was done by Presiding Justice Mary J. Greenwood via a straw justice Grover, a colleague to James McManis (McManis is a special master at Santa Clara County Court) and a client to McManis (through McManis's being an attorney for Santa Clara County Court where she was employed).

Greenwood's husband Edward Davila, without a notice, motion, nor hearing, conspired with SHAO's ex husband Tsan-Kuen Wang through his attorney David Sussman, to use the Case Management Conference to issue a surprising order of parental deprivation on 8/10/2010, who placed the 5 year old daughter at the sole custody of her complained abuser. McManis respondents chose to follow Davila's instruction not to defend for SHAO and not to get SHAO's child custody back.

And, again, Respondents used Judge Patricia Lucas, their buddy through the American Inns of Court, to conspire with Justice Rushing to create a docket entry of 2/24/2017 Notice of Default for failure to procure records (court reporters' transcripts) when no court had such hard copy paper notice. Neither was it served upon any party.

At that time, Santa Clara County Court, Respondents' client, concealed SHAO's family case docket from public access when the court secretly removed from the docket the filing by the child custody trial court reporter's Certificate of Waiver of Deposit that was filed on 5/8/2014 based on fully paid transcripts fees for the child custody trial that took place in July 2013. The hard copy of the Certificate surfaced in 2021 in God's hands. See Petition, App.98.

Then-Presiding Judge Patricia Lucas responded to SHAO on March 8, 2017 that she would not put the family case docket back on the court's website and would not change the notice of default. Petition, App.99-101.

Clearly the court concealed the family court case docket as it would conceal the fact that it had quietly altered the family case docket to conceal the evidence that SHAO had fully paid the court reporter's

transcript for child custody trial—the court removed the filing by Julie Serna her 5/8/2014 Certificate of Waiver of Deposit. The court reporter Julie Serna reported to SHAO in writing that Santa Clara County Court Appellate Unit disallowed her to file the child custody appeal. To today's date, the \$3072.60's child custody appeal transcripts (Petition, App.97) that SHAO paid for are still sitting in the home of Julie Serna since 2014 and blocked from filing.

Then Respondents caused the sixth District Court of Appeal to dismiss the child custody appeal with the fraudulent notices of non-compliance for failure to procure the transcript.

Recently, on August 25, 2021, in S269711, which is the order leads to this Petition for Writ of Certiorari, California Tani Cantil-Sakauye conceded, by operation of law under California Code of Civil Procedure Section 170.3(c)(4) (Petition, App.10), to her conspiracy with Respondent James McManis in summarily denying all Petitions for Review, including this one for certiorari. Section 170.3(c)(4) states “a judge who fails to file a consent or answer within the time allowed shall be deemed to have consented to his or her disqualification.” Case laws such as *Urias v. Harris Farms, Inc.* (1991) 234 Cal.App.3d 415 made the accused facts of disqualification conceded by the judge under Section 170.3(c)(4). In this 8/25/2021 Order, Chief Justice did not participate in the voting for denying Petition for Review, the Supreme Court stated that there is no record available to the public on voting records. That is the No. 12 Questions for Certiorari in this Petition for Writ of Certiorari.

With the 8/25/2021 Order (Petition, App.30), that California Chief Justice conceded to SHAO's verified statement of disqualification and did not participate in voting of the Petition for Review, she tacitly admitted to the following facts (Petition, App.128-157):

- (1)She is Respondent James McManis's client

- (2) She conspired with Respondent McManis in denying all petitions for review in the past 10 years about 10 petitions, including all that were appealed to this Court.
- (3) She conspired with McManis in influencing Justice Kennedy to deny applications of SHAO.
- (4) She conspired with James McManis to stay enforcement of SHAO's complaint at California State Bar against McManis about his own admission that he provided free legal advices to the judges, which violated Rule 5-300 of California Rules of Professional Conduct and caused it to be closed in September 2019 when SHAO was on overseas mission.
- (5) She conspired with James McManis to purge his records completely away from the State Bar of California about his conspiracy with Santa Clara County Court in filing his motion to dismiss in September 2019, which is the subject of this Petition and altering e-filing stamps on his motion to dismiss. She conceded that James McManis's case number of 20-O-07258 was completely removed and disappeared.
- (6) She helped James McManis to close the complaints against his attorney for the same conspiracy with Santa Clara County Court to change e-filing stamps date from 9/18/2019 to 9/12/2019.
- (7) She conspired with James McManis to suspend SHAO's bar license on the date SHAO filed this appeal (7/27/2020) by creating a false case on California Supreme Court and entered a prematured order to suspend SHAO's bar license.
- (8) She conspired with James McManis to cause California State Bar to issue letters to California Franchise Tax Board to garnish imputed income against SHAO's business account from 2017 until present as a retaliation to SHAO's actions against McManis.

Such conspiracy has filed with the D.C. Circuit Court of Appeal in Case No. 21-5210 multiple times. California Chief Justice never denied such conspiracy, neither did Respondents. See below page 8 of #1921981

that was filed on 11/11/2021. No one appellee objected to the conspiracy stated therein.

USCA Case #21-5210 Document #1921981 Filed: 11/11/2021 Page 8 of 114

child custody appeal (H040394) on May 10, 2018 without notice, and without a noticed motion as required by Rule 8.57 (the identical violation of Justice Rushing on 3/14/2016).

(c) Appellees then colluded with Appellee Chief Justice Tani Cantil-Sakayaue to issue an order denying review of the child custody appeal (S242475) and further colluded with Appellee US Supreme Court in denying certiorari in Petition for Writ of Certiorari No. 18-569, where the 7 Justices (including the deceased Justice Ruth Bader Ginsburg) failed to decide Request for Recusal as well as the Amicus Curiae Motion of Mothers of Lost Children duly filed on 11/8/2018. Moreover, the US Supreme Court's function was disrupted to an extent that Appellee US Supreme court even committed the felony of altering the docket of 18-569 by removing the motion of Amicus Curiae Mothers of Lost Children, sometime after May 2019. SHAO was completely denied her day in the court for her child custody appeal because of Appellees' judicial corruptions. As of the dismissal, which is based on fraudulent ground of failure to procure reporter's transcript, Santa Clara County Court failed to prepare any piece of paper for the records on appeal and the paid child custody trial transcripts have been sitting in the home of Julie Serna for years since May of 2014.

21-5210 Third Supplement to #1921020

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As stated above in Page 8 of ECF #1921981, which was undisputed by any appellees in Appeal No. 21-5210, this Court had conspired with Respondents in illegally altering the docket and records in Petition 18-569 where this Court silently removed the Amicus Curiae Motion of Mothers of Lost Children duly filed by Attorney Christopher Katzenbach on November 8, 2018.

Respondents James Mcmanis, Mcmanis Faulkner and Michael Reedy who had influenced their court clients and friends through the American Inns of Court to stall child custody return to SHAO. Such

intent was testified by SHAO's expert witness Attorney Meera Fox in Paragraph 4 of her declaration. See Petition, App. 67.

The unaltered docket of 18-569 was preserved in #1787004 filed with the appeal case 19-5014 as shown below. Chief Justice Roberts, Jr. is in charge of the daily operation of the clerk's office and cannot shrud off his responsibility of such alteration.

Search - Supreme Court of the United States

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles...>

USCA Case #19-5014 Document #1787004 Filed: 05/09/2019 Page 2 of 3
This is the original docket of 18-569 before alteration which clearly showed the filing record of the Amicus Curiae Motion of Mothers of Lost Children. This was filed with the D.C. Circuit.

Search documents in this case:		Search
No. 18-569		
Title:	Linda Shao, Petitioner v. Tsan-Kuen Wang	
Docketed:	October 31, 2018	
Lower Ct:	Court of Appeal of California, Sixth Appellate District	
Case Numbers:	(H040395)	
Decision Date:	May 10, 2018	
Discretionary Court Decision	July 25, 2018	
Date:		

DATE	PROCEEDINGS AND ORDERS
Oct 23 2018	Petition for a writ of certiorari filed. (Response due November 30, 2018) Petition of Service Appendix Certificate of Word Count Proof
Nov 08 2018	Motion of Mothers of Lost Children for leave to file amicus brief submitted. Main Document Certificate of Word Count Proof of Service
Nov 20 2018	Request for recusal received from petitioner. Main Document Proof of Service
Dec 19 2018	DISTRIBUTED for Conference of 1/4/2019.
Jan 07 2019	Petition DENIED.
Jan 21 2019	Petition for Rehearing filed.

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2 of 3

5/8/2019, 8:11 PM

James McManis has been the leading attorney of the American Inns of Court, where Respondent Mcmanis Faulkner published that Chief Justice Roberts, Jr. was the second and James Mcmanis was the third

to receive the highest honor of the American Inns of Court-- Honorary Benchers of the Kings' Inn. Respondents removed the 8/13/2012 news release in or about February 2018 as follows:

11/2/2011

USCA Case #21-5210

Document #1925604

James McManis Elected Honorary Benchers

Filed: 12/07/2021

Page 5 of 8

McManis²²-Faulkner

MEDIA

James McManis Elected Honorary Benchers

08/13/2012

James McManis, founding partner of leading Northern California trial firm McManis Faulkner, has been elected, by unanimous vote, an honorary benchers of the Honorable Society of King's Inns, Dublin, Ireland.

The oldest institution of legal education in Ireland, the Honorable Society of King's Inns is comprised of benchers, barristers and students. The benchers include all the judges of Ireland's Supreme and High Courts as well as a number of elected barristers. Prior to the election of McManis and two other Fellows of the International Academy of Trial Lawyers (Tom Girardi and Pat McGroder), the only Americans so honored were U.S. Supreme Court Chief Justice John Roberts and Justice Antonin Scalia. Election as an honorary benchers is the highest accolade that the Inn can confer.

As a member of the trial bar for more than 40 years, McManis represents Silicon Valley companies with commercial, trade secret and intellectual property issues. Listed in the Best Lawyers in America for 13 consecutive years as well as Northern California Super Lawyers for nine consecutive years, he also represents individuals in a wide variety of matters, including civil rights actions, employment disputes, family law and criminal defense. McManis was recently appointed to the newly established Task Force on Admissions Regulation Reform by the California State Bar. He is a Fellow of the American College of Trial Lawyers, Litigation Counsel of America, American Bar Foundation and International Academy of Trial Lawyers. He earned his J.D. from the University of California, Berkeley School of Law (1967) and his B.A. in history, with distinction, Phi Beta Kappa, from Stanford University (1964).

Therefore, it is more likely than not that the alteration of the docket of 18-569 was done by Chief Justice John G. Roberts, Jr., a close friend to Respondent McManis.

WHEREFORE, based on the conspiracies objectively in the public view with evidence, the six Justices might reasonably impossible to be impartial in handling this Petition and must be recused pursuant to 28 U.S.C. §455(a).

B. December 7, 2021 incidents indicate that the us supreme court six justices are connected with respondents

On December 7, 2021, SHAO would like to supplement the tacit admission of the six Justices to her motions for summary disposition filed with the D.C. Circuit in 21-5210. Because of the hacker burglarized her residence and erased all files in her data base, SHAO has used many USBs to save files. SHAO discovered that all but one backup disc has the record of the complete file for filing with the US Supreme Court for Request for Recusal in Petition 20-524. Therefore, she drafted a Supplement intending to submit the totally 80 pages of Request for Recusal (including Appendix). At 12:15 a.m. of December 7, 2021, SHAO filed the Supplement which is ECF 1925602. Then, immediately SHAO discovered that the hacker had removed the Appendix causing only 67 pages for ECF 1925602. And the only file was also altered by the hacker from one of my laptop.

Therefore, SHAO went on my email to search for my prior e-service record and found the complete Request for Recusal. And, I filed a second ECF1925604 at 2:07 a.m.

This incident on December 7, 2021 clearly indicates that the hacker hired by Respondents also worked for the US Supreme Court Justices, and it should be the six Justices sued.

This incident further indicates that the US Supreme Court's systematically removal of appendixes attached to the Requests for Recusal is a conspiracy with Respondents.

This incident reinforced the appearance that their failure to decide the Amicus Curiae Motion of Mothers of Lost Children in 18-569 and even purged the court record in 18-569 are out of conspiracy with Respondents.

For this specific Request for Recusal, for the first time, US Supreme Court just misrepresented to the public that there were no appendix. In the past, in removal of the Appendix, the clerk will insert a note that additional documents are in the Clerk's Office. This one did not contain the page. Such fraud apparently is a conspiracy of James McManis and consistent with the systematic frauds Respondents have done in all courts and all cases where SHAO and Respondents are involved or they are interested (such as SHAO's family case).

SHAO is prejudiced by such conspiracy of this Court's six Justices and Respondent. The six Justices have no excuse not to be recused again in this proceeding when their co-conspirators are Respondents.

C. The six justices had tacitly admitted to their conspiracies with respondents that this petition should be transferred to court of appeal in the second circuit

1. Tacit admission occurred on December 14, 2020

There is tacit admission if a statement made in the party's presence was heard and understood by the party, who was at liberty to respond, in circumstances naturally calling for a response, and the party failed to respond. E.g., *Jenkins v. Anderson*, 447 U.S. 231 (1980); *Alberney v. United States*, 162 U.S. 499, 16 S.Ct. 864, 40 L.Ed. 1051 (1896).

Petitioner SHAO's Request for Recusal filed with the Supreme Court in Petition 20-524 naturally calls for a response when severe crimes and misconducts were accused. Moreover, by law, the Request for Recusal is one calls for a response under 28 U.S.C. §455.

Moran v. Clarke, 309 F.3d 516, 517 (8th Cir. 2002) mentioned how a judge should respond to a judicial disqualification under 28 U.S.C. §455: the judge should lay out all relevant facts to the complained facts. As the law of judicial disqualification in 28 U.S.C. §455 is applicable to the Justices of the US Supreme Court without a difference than other judges (*Pilla v. American Bar Asso.*, 542 F.2d 36 (8th Cir. 1976), the same Moran standard for 28 U.S.C. §455 should also be applicable to the Justices, such that the six Justices asked to be recused should also lay out all facts on accused matters. They did not, but jointly took an implied recusal by not participating in voting.

They actually had *jointly refused to decide* the eighth time. As it has been the custom practice of the US Supreme Court Justices to decide their own recusal (*State v. Allen (2010) 2010 WI 10*), such jointly not one Justice had responded to each and every of the eight duly filed Requests for Recusal could only take place when they had an agreement to jointly not to decide on SHAO's Requests for Recusal. Also, two Amicus Curiae Motions (Petitions 18-569 and 20-524) and a Motion for Judicial Notice in 20-524 were also undecided.

In addition, the six Justices had tacitly admitted to all accusations contained in the Request for Recusal filed in Petition 20-524 and impliedly recused themselves by not participating in voting on the Petition 20-524, which will include their conspiracy with Respondents.

“When an affidavit of disqualification is filed and is in proper form, its allegations are accepted as true. *Burger v. United States*, 255 U.S. 22, 33 (1921)”

Non-disclosure of conflicts of interest will result in reversal of judgment. E.g., *Schmitz v. Ziverti*, 20 F.3d 1043 (9th Cir. 1994). This court

apparently failed to disclose their relationship with the hacker and Respondents.

The entire Request for Recusal is attached hereto in in Exhibit F (#1925602) and Exhibit G (#1925604) All facts contained in Exhibits F and G should be taken as true, especially when the six Justices had tacitly admitted to all facts contained therein.

In conducting de facto recusing in the proceeding of 20-524 when the laws call for their responses and they kept avoid making responses to all past 7 Requests for Recusal filed in 17-256, 17-613, 18-344, 18-569, 18-800 and 19-639, all facts contained in all of the Requests for Recusal should be deemed tacitly admitted as true.

2. Facts tacitly admitted to by the six Justices

The tacitly admitted facts mentioned in SHAO's Request for recusal in Petition 20-524 include:

(1)The sixth Justices/Appellees have direct conflicts of interest as they are parties in the same proceeding and have been at default about a declarative relief against them that is not covered by judicial immunity. The declarative relief is contained in ECF16(First Amended Complaint of the underlying case Shao v. Roberts, et al., 1:18-cv-01233), ¶348. In the first count of ECF16 where the Justices of this Court are involved, SHAO also requested an injunctive relief against American Inns of Court which was stated in ECF16, ¶350. The two paragraphs are recited in Pages 9-15 of the Request for Recusal filed in 20-524. All Justices are at default since October 16, 2018 in the underlying case, but the trial judge Judge Rudolph Contreras blocked the Clerk's Office from entry of default.

As having stated about 8 times, a refusal to rule on matters is a serious violation of judicial duty. *Inquiry Concerning Freedman* (CalComm. Jud.Perf.2007) 49 Cal.4th CJP Supp.223; *Mardikian v. Commission on Judicial Performance* (1956) 40 Cal.3d 473, 477.

(2) There were actual prejudice that this Court had inflicted on SHAO, besides the six Justices Appellees' refusing to decide totally 10 matters accepted for filing, including: (a) this Court refused to file the Request for Recusal for Petition 19-639 until 23 days' later after repeated inquiries by the process server hired by SHAO; (b) this Court blocked filing of Amicus Curiae Motion of Mothers of Lost Children in Petition NO. 17-82, destroyed the submitted motion and never returned to Amicus Curiae's counsel; (3) repeatedly altering the court records for each Request for Recusal in removing most or all of the appendix; and (d) this Court has concealed James McManis's name from all of the cases of Shao v. McManis Faulkner et al, including Petition 17-256, 18-344 and 18-800, copying the acts of California Sixth District Court of Appeal and California Supreme Court to remove the name of James McManis from all cases.

(3) The Court committed 20 felonies, as stated in pages 20-22 of the Request for Recusal.

(4) The Sixth Appellees/Justices of this Court also tacitly admitted to the facts presented in the Request for Recusal filed in 20-524, Section II: "Origin of the conflicts of interest related to Appellee James McManis and other Appellees from California that are parties in this proceeding".

Wherever James McManis is a defendant to SHAO's cases, all courts involved have committed the same pattern of court crimes--- alterations of docket and court records. McManis's financial interest with California courts has extended to the Supreme Court where his client California Chief Justice Tani Cantil-Sakauye is President of Justice Anthony M. Kennedy, and Justice Elena Kagan and Justice Neil Gorsuch had clerked with Justice Kennedy.

(5) Justice Elena Kagan did not dispute that Michael Reedy was invited by her to the US Supreme Court when 17-256 (Shao v. McManis, Michael Reedy, et al) was pending.

(6) It is undisputed that James McManis has close relationship with Chief Justice John G. Roberts, Jr. through the American Inns of Court. (see Exhibit A, p.1 where McManis Faulkner, PC published a News Release of

(7) As shown in pages 30 to 32 of the Request for Recusal filed in 20-524, this Court also tacitly admitted to James McManis's manipulating California courts by procuring vexatious litigant orders from his client, Santa Clara County Court, to block SHAO from reasonable access to her family case in order to ensure permanent parental deprivation, when, there should have been immediate child custody return to SHAO since 2011 when the original parental deprivation order of Judge Edward Davila was found to be violation of due process, and since 2014 when undisputable evidence indicates that her ex-husband concealed his dangerous mental illness.

(8) As shown in Page 33 of the Request for Recusal, the six Appellees Justices have tacitly admitted that James McManis had

influenced them to deny at least 8 of 11 appeals filed by SHAO that were derived from the conspiracy to deprive SHAO permanently of her child custody. SHAO was not given a day in court regarding her child custody appeal and vexatious litigant appeal.

(9) As shown in Page 34, page 39 and Page 40 of the Request for Recusal in 20-524, the six Appellees Justices tacitly admitted that McManis fraudulently dismissed the civil case for breach of fiduciary duty and that California Sixth District Court of Appeal failed to open a case, before 20-524 was decided, for the properly filed appeal (2012-1-cv-220571 pending with Santa Clara County Superior Court of California).

(10) As shown in Pages 34 through 39 of the Request for Recusal in 20-524, the six Justices/Appellees tacitly admitted to the improper financial interest with the American Inns of Court through their illegal function of Temple Bar Scholarship which constitutes a huge gift which is awarded based on judicial job function. In another words, such Temple Bar Scholarship is an illegal bribery.

(11) As shown in Pages 40 and 41 of the Request for Recusal in 20-524, American Inns of Court is

“an inappropriate and unfair “old Boys network” of judges and attorneys and clerks scratching each other’s backs, discussing their cases ex parte and “mentoring” each other the the benefit of a few and the detriment of many. The relationship it encourages between members lead to illegal conflicts of interest and backdoor dealings and ex parte communications which have corrupted the judiciary of the United States on all federal levels. This club has more than 400 charters which have used all federal courts and resources to operate their business, including the Supreme Court of the United States.... This private club is truly not for improving justice as advertised, but exists to ensure that the members have each

other's backs and stick together even if it means violating the law to do so."

(12) As shown in Page 44, the six Appellees/Justices tacitly admitted that:

"As a matter of law, all these courts' felonies done by Judge Rudolph Contreras, the D.C. Circuit, and the US Supreme Court as well as by James Mcmanis and his judicial conspirators have been admitted by adoption based on prevailing law regarding their knowing evasion to respond to my severe criminal accusations.

When our judges don't follow the law and are allowed to forge documents, antedate and post "

(13) The six Justices Appellees admitted that the DC Circuit's Dismissal should be reversed and changed venue to the U.S.D.C. in New York, as stated in pages 55-63 in Exhibit F. #1925602.

As SHAO's cases are heavily involved with the American Inns of Court's illegal function because of Respondents, and the six Justices have tacitly admitted to their conflicts of interest because of American Inns of Court that they had received financial interest from American Inns of Court that it is impossible for them to be impartial in deciding this case.

Therefore, the six Justices should be recused from handling this Petition.

D. This Petition should be transferred to the Second Circuit Court of Appeal

This Petition should be transferred to another disinterested Court of Appeal, which Petitioner ask to be transferred to the Court of Appeal in New York based on the laws shown in Petition for Rehearing, from App.169 to 188 in this Petition. Summary affirmation of California Court of Appeal's decision will be out of line. As they failed to perform any appeal, illegally required a second vexatious litigant order without jurisdiction and used that to block appeal. Such an entirely out of line order cannot be affirmed. So far, just like the child custody appeal, and

all appeals done by SHAO, Respondents consistently manipulated all courts to block appeal--- there is not a court ever done any appellate review.

Such gross injustice must be tackled properly by impartial appellate panel, according to the procedures stated in *Pollock v. Farmers' Loan Trust Co.*, 168 U.S. 601, 603-604 (1805) (App.166, 167) and *United States v. District Court*, 334 U.S. 258 (1948) where this Court held that

“The case shall be immediately certified by the Supreme Court to the circuit court of appeals..., and it shall be the duty of the senior circuit judge of said circuit court of appeals, qualified to participate in the consideration of the case on the merits, to designate immediately three circuit judges of said court... This Act shall apply to every case pending before the Supreme Court of the United States.” (Petition, App.169)

As stated by this Court in *United States v. Will*, 449 U.S. 200, 213, ft.13 (1980) “28 U.S.C. §2109 was designed to ensure that a party would ...”always have some form of appellate review.”

II. JUSTICE GORSUCH AND JUSTICE KAVANAUGH SHOULD BE RECUSED BECAUSE OF MEMBERSHIP WITH THE AMERICAN INNS OF COURT AND JUSTICE GORSUCH PARTICIPATED IN THE SIX JUSTICES' CONSPIRACY NOT TO DECIDE ON REQUEST FOR RECUSAL FILED IN PETITION 18-569 SUCH THAT THEY MIGHT REASONABLY UNABLE TO BE IMPARTIAL UNDER 28 U.S.C. §455(a) THAT THEY MUST BE RECUSED AS WELL.

As Justice Neil Gorsuch and Justice Bret Kavanaugh both are members of the American Inns of Court and have obtained financial interest with American Inns of Court, the public will believe that the two Justices might not be able to be impartial such that both should recuse under 28 U.S.C. §455(a).

Their financial interest is to sponsor huge gift of Temple Bar Scholarship for their clerks, and also had closely connected with the D.C. Circuit Court of Appeal and Respondents by way of American Inns of Court, they should also be recused.

Justice Gorsuch further had conspired with the six Justice in jointly with them to betray his Constitutional duty to decide the Request for Recusal in Petition 18-569.

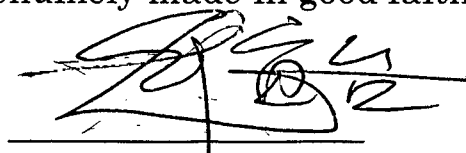
Both Justice Gorsuch and Justice Kavanaugh appeared to be participating in the plot of Respondents and the six Justices' plot on not to decide the Amicus Curiae Motion of Mothers of Lost Children in Petition 18-569.

III SEVERE PREJUDICE AND CONCLUSION (VERIFICATION)

Petitioner has suffered severe actual prejudice by the eight Justices in being unreasonably blocked her fundamental reasonable access to the court. Especially in the related proceeding of 20-524, the court virtually fabricated orders. The Court irregularly failed to decide 8 Requests for Recusal, 2 Amicus Curiae motions and failed to file Motion for judicial notice of Amicus Curiae Motion, cause completely without review in 20-524 decision because of its failure to transfer to another Court of Appeal for review in accordance with the public policy of absolute duty to review. It is undisputable that the US Supreme Court altered the docket of 18-569 where the victim is SHAO. With multiple conflicts of interests, all eight Justices should be recused pursuant to 28 U.S.C. §455(a).

The undersigned swear under the penalty of perjury under the laws of the United States that the foregoing facts are true and accurate based on her best knowledge and are genuinely made in good faith, not for harassment.

Dated: December 10, 2021


Yi Tai Shao

**Additional material
from this filing is
available in the
Clerk's Office.**